

ASSEMBLY BILL

No. 1150

Introduced by Assembly Member Gaines

February 27, 2009

An act to add Section 620 to, and to repeal Article 1 (commencing with Section 40400) of Chapter 3 of Part 1 of Division 30 of, the Public Resources Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1150, as introduced, Gaines. State government: integrated waste management board: abolishment.

The California Integrated Waste Management Act of 1989, administered by the California Integrated Waste Management Board, is required to reduce, recycle, and reuse solid waste generated in the state to the maximum extent feasible in an efficient cost-effective manner to conserve water, energy, and other natural resources.

This bill would abolish the California Integrated Waste Management Board and transfer its duties, powers, purposes, responsibilities, and jurisdiction to the Department of Conservation.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 620 is added to the Public Resources
- 2 Code, to read:
- 3 620. (a) The department succeeds to and is vested with all
- 4 duties, powers, purposes, responsibilities, and jurisdiction of the
- 5 California Integrated Waste Management Board, including, but

1 not limited to, the California Integrated Waste Management Act
2 of 1989. Any reference in any law to the duties, powers, purposes,
3 responsibility, or jurisdiction of the California Integrated Waste
4 Management Board shall be deemed to refer to the Department of
5 Conservation unless the context otherwise requires. The department
6 shall have possession and control of all records, books, papers,
7 and other property, real, personal, and mixed, now or hereafter
8 held for the benefit or use of the California Integrated Waste
9 Management Board.

10 (b) All employees of the California Integrated Waste
11 Management Board who, on January 1, 2010, are serving in state
12 civil service, other than as temporary employees, are transferred
13 to the Department of Conservation pursuant to Section 19050.9
14 of the Government Code. The status, position, and rights of an
15 employee of the board shall not be affected by the transfer and
16 shall continue to be retained by the person as an employee of the
17 department, as the case may be, pursuant to the State Civil Service
18 Act (Part 2 (commencing with Section 18500) of Division 5 of
19 Title 2 of the Government Code), except as to a position that is
20 exempt from civil service.

21 (c) All unexpended balances of money available, including
22 money that becomes available after January 1, 2010, for
23 expenditure by the California Integrated Waste Management Board
24 shall be transferred to the department for the use and for the
25 purposes for which the appropriation was originally made or the
26 funds were originally available.

27 SEC. 2. Article 1 (commencing with Section 40400) of Chapter
28 3 of Part 1 of Division 30 of the Public Resources Code is repealed.